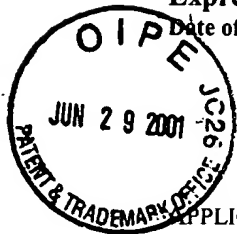


Express Mail Label No.: EK611847751US

Date of Deposit: June 29, 2001

Attorney Docket No. 00960-504 FWCCON2



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Rueger et al.
ASSIGNEE: Creative BioMolecules, Inc.
SERIAL NUMBER: 08/937,756 EXAMINER: S. Turner
FILING DATE: September 25, 1997 ART UNIT: 1647
FOR: MORPHOGEN-INDUCED NERVE REGENERATION AND REPAIR

June 29, 2001

Boston, Massachusetts

RECEIVED

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Box DAC
Assistant Commissioner for Patents
Washington, D.C. 20031

OFFICE OF PETITIONS
DEPUTY A/C PATENTS

PETITION FOR REVIVAL OF AN UNINTENTIONALLY-ABANDONED
PATENT APPLICATION UNDER 37 C.F.R. 1.137(b)

The present petition is filed in response to the Notice of Abandonment mailed June 19, 2001. The above-identified application became abandoned for failure to file a timely and proper response to the Office Action mailed September 25, 2000, which set a six-month period for response. The abandonment date of this application is March 26, 2001.

APPLICANTS HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Proposed response and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee (required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee:

- ☒ Small entity – fee \$620.00 (37 C.F.R. 1.17(m)) is enclosed herewith.
☐ Small entity statement enclosed herewith.
☐ Small entity statement previously filed.
☐ Other than small entity – fee \$_____ (37 C.F.R. 1.17(m)).

2. Proposed response and/or fee:

- ☒ Response to Office Action which resulted in abandonment is enclosed herewith.

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01 FC:241

620.00 DP

APPLICANTS: Rueger et al.
U.S.S.N.: 08/937,756

3. **Terminal disclaimer with disclaimer fee:**

- ☐ A terminal disclaimer equivalent to the number of months from abandonment to the filing of this petition (and disclaimer fee of \$55.00 (37 C.F.R. §1.20(d)) for a small entity) is enclosed herewith.
- ☒ Since this utility application was filed on or after June 8, 1995, no terminal disclaimer is required.

4. **Statement:**

The entire delay in filing the required reply from the due date until the filing of the present petition was unintentional (37 C.F.R. §1.137(b)(3)).

5. **Enclosures:**

- ☒ Response
- ☒ Revival Petition Fee
- ☐ Terminal Disclaimer Form and Fee
- ☐ Small Entity Form
- ☐ Others:

The Commissioner is hereby authorized to charge any additional fees that may be due, or to credit any overpayment, to Account 50-0311, Ref. No. 00960-504.

Respectfully submitted,



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Ingrid A. Beattie, Reg. No. 42,306
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Dated: June 29, 2001

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